

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

THOMAS E. PEREZ, Secretary of Labor, United States Department of Labor,	:	
Plaintiff,	:	Civil Case No. 3:14-cv-460
v.	:	JUDGE WALTER H. RICE
A NEW START GROUP HOME and RICARDO STEWART,	:	
Defendants.	:	

JUDGMENT BY DEFAULT

Pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure, this cause came on for hearing on Plaintiff Thomas E. Perez, Secretary of Labor, United States Department of Labor's (the "Secretary"), *Motion for Judgment by Default* (ECF No. 10) and on the *Affidavit of Investigator Barbara Barrett* (ECF No. 10-1). It appearing to the Court that: the Complaint was filed on December 18, 2014 (ECF No. 1); Defendants A New Start Group Home and Ricardo Stewart (collectively, "Defendants") are not represented by counsel; individual Defendant Stewart is not a minor or incompetent person; Defendant Stewart is not a member of the military; and that default was entered by the Clerk of Court on July 6, 2015 (ECF No. 9), it is therefore:

ORDERED, ADJUDGED, AND DECREED that Defendants, their agents, servants, employees, and those in active concert with them are permanently enjoined and restrained from violating the provisions of §§15(a)(2) and (a)(5) of the Fair Labor Standards Act of 1938, as amended (the "Act"), in any of the following manners:

1. Defendants shall not, contrary to Section 6 of the Act, pay any of their employees employed in an enterprise engaged in commerce or in the production of goods for commerce, within the meaning of the Act, wages at a rate of less than \$7.25 per hour or any such other minimum hourly rate as hereafter may be made applicable by amendment to the Act;

2. Defendants shall not, contrary to Section 7 of the Act, employ any of their employees employed in an enterprise engaged in commerce or in the production of goods for commerce, within the meaning of the Act, for workweeks longer than forty (40) hours, unless the employees receive compensation for their employment in excess of forty (40) hours at a rate not less than one and one-half times the regular rate at which they are employed;

3. Defendants shall not fail to make, keep, and preserve records of their employees and of the wages, hours, and other conditions and practices of employment maintained by them, as prescribed by federal regulations that may be issued or amended pursuant to Section 11(c) of the Act by the Wage and Hour Administrator or the Secretary;

It is further ORDERED, ADJUDGED, AND DECREED that the Secretary recover from Defendants the sum of \$36,906.90 plus an equal amount in liquidated damages, for a total of \$73,813.80 in damages, for which execution may issue, to be distributed to the employees as follows:

Name	Period Covered	Back Wages Due	Liquidated Damages Due
Boddie, Maria	01/07/12 - 01/04/14	\$10,681.24	\$10,681.24
Carr, Damier	12/14/13 - 12/28/13	\$879.12	\$879.12
Johnson, Tasheka	01/05/13 - 02/01/14	\$7,402.83	\$7,402.83
Montgomery, Kia	01/07/12 - 01/05/13	\$4,311.05	\$4,311.05
Moore, Azalea	01/07/12 - 01/05/13	\$627.12	\$627.12
Moore, Cynthia	01/07/12 - 01/05/13	\$3,604.46	\$3,604.46
Morris, Brittany	01/07/12 - 01/05/13	\$4,196.58	\$4,196.58
Randall, Marjean	07/06/13 - 11/30/13	\$3,980.90	\$3,980.90
Smith, Tajuana	11/17/12 - 02/23/13	\$1,223.60	\$1,223.60

It is further ORDERED, ADJUDGED, AND DECREED that Defendants shall make said payments to the Secretary for disbursement as prescribed by law, provided that any payments not so distributed by the Secretary within a reasonable time due to the Secretary's failure to locate the proper person or due to such person's refusal to accept such payments shall be covered into the Treasury of the United States as miscellaneous receipts;

It is further ORDERED, ADJUDGED, AND DECREED, that costs are assessed against Defendants.

Dated: August 18, 2015



JUDGE WALTER H. RICE